

**Department of Mental Health
Exceptions Committee Meeting**

November 5, 2004

Minutes

In attendance were Rosie Anderson-Harper, Connie Cahalan, Julie Carel, Jennifer Wyble, and coordinator Richard Overmann.

Cheryl L. Braun, BA, RASAC II, requested an exception of requirements for a Qualified Substance Abuse Professional under 9 CSR 10-7.140. She stated that she has a Bachelor's degree in Psychology and that her Addiction Counseling Certificate should be considered credit for training and experience. The material presented in the request did not clearly indicate how much relevant experience Ms. Braun has, and the committee requested additional information.

Robert M. McKay, M.S.Ed., the president and CEO of First Time Correctional Services of Kansas City (FTCS of KC) requested an exception from employment disqualification provisions of 9 CSR 10-5.190. In 1983 he pled guilty to first degree robbery and served three years of a fourteen year sentence and was released from parole in October 1995. The committee requested additional information regarding the services offered by FTCS of KC, a description of Mr. McKay's duties and the type of clients he serves. The committee also requested an updated Criminal History Record from the Missouri State Highway Patrol.

The Department of Health and Senior Services is requesting a recommendation regarding an application for a "good cause waiver". The applicant is Yvonne Jackson Gordon. She was placed on the DMH disqualification registry in 1993 following a determination of Class I neglect at St. Charles Habilitation Center. A resident died while being left in a bathtub for over two hours, during which time Ms. Gordon administered medications to her. The committee noted that the finding of Class I neglect resulted from the death of a resident and recommended that a "good cause waiver" be denied.

Personal Care Services -120 Second Street in Monroe City. This was a follow-up to a request considered last month, summarized in the October minutes as follows.

...This home lacks interior finish as required under 9 CSR 45 -5.130(5). The owner noted that if he finishes the ceiling as required, the ceiling height will be lower than the 7'6" requirement. The committee decided to consult with the state fire marshal to regarding the option of requiring the finished ceiling but waiving the height requirement.

In response to the committee's request for a recommendation, the state fire marshal stated that finishing the basement is required if the residents were to use the basement. He also stated that the finished ceiling would lower the ceiling height to less than 7 feet. The state fire marshal neither expressly recommended nor objected to a waiver of ceiling height requirements. The committee noted that this is an existing facility. The committee granted the waiver of ceiling height requirements with the following conditions: first, the basement will meet all other fire safety requirements including finishing requirements under 9 CSR 45-5.130 (5)(B) and exit requirements under 9 CSR 45-5.130 (2); and, second, the basement will be used by residents only for laundry purposes.

The Division of Alcohol and Drug Abuse requested an exception of 9 CSR 30-3.150 (1), 9 CSR 30-3.100 (2) and 9 CSR 30-3.110 (2) to enable the division to obtain federal reimbursement for services currently funded with state general revenue and the SAPT Block Grant. The exceptions are necessary to enroll Opioid Treatment Programs as CSTAR providers. The problem is that the Opioid Treatment Programs do not meet some of the CSTAR certification standards. The requested exceptions listed above will resolve this problem. The committee approved the request.

November 8, 2004

Cheryl L. Braun, BA, RASAC II
7836 S. E. Little Acres Lane
Holt, MO 64048

Dear Ms. Braun:

On November 8, 2004, the Department of Mental Health Exceptions Committee reviewed your request for an exception, dated October 4, 2004, seeking a waiver of requirements for Qualified Substance Abuse Professional. The committee requested a resume of your work experience with specifics about whether positions were full time or part time and a listing of your duties at each position.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

November 8, 2004

Robert M. McKay, M.S. Ed.
FTCS of K. C.
3200 Wayne, Suites 215-220
Kansas City, MO 64109

Dear Mr. McKay:

On November 5, 2004 the Department of Mental Health Exceptions Committee reviewed your request for an exception, dated October 27, 2004, from the employment disqualification provisions under 9 CSR 10-5.190. The committee requested additional information regarding the services offered by FTCS of KC, a description of your duties and the type of clients you serve. The committee also requested an updated Criminal History Record from the Missouri State Highway Patrol.

If you have any questions in this matter, please contact me at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

November 8, 2004

Nancy Schulte
Public Health Manager 2
Post Office Box 570
Jefferson City, MO

RE Yvonne Jackson Gordon

Dear Ms.Schulte:

On November 5, 2004 the Department of Mental Health Exceptions Committee considered Ms. Gordon's request for a good cause waiver. The committee noted that the circumstances surrounding the finding of Class I Neglect in this case involved the death of a resident. The committee recommended that the good cause waiver be denied.

If you have any questions regarding this letter please contact me at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

November 8, 2004

Paul Holtschalg
Personal Care Services, Inc.
2826 Hayfield Ln
Quincy, IL 62305

Dear Mr. Holtschalg :

On November 5, 2004, the Department of Mental Health Exceptions Committee renewed its consideration of your request for a waiver of fire safety requirements under 9 CSR 45-5.130, specifically the request relating to the basement area of your facility at 120 Second Street in Monroe City. The committee noted that this is an existing facility. The committee granted the waiver of ceiling height requirements with the following conditions: first, the basement will meet all other fire safety requirements including finishing requirements under 9 CSR 45-5.130 (5)(B) and exit requirements under 9 CSR 45-5.130 (2); and, second, the basement will be used by residents only for laundry purposes.

If you have any questions in this matter, please give me a call at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator

CC Assistant State Fire Marshal

November 8, 2004

Michael Couty, Director, Division of Alcohol and Drug Abuse
Department of Mental Health
1706 E. Elm
Jefferson City, MO 65101

Dear Mr. Couty:

RE: 9 CSR 30-3.150 (1)
9 CSR 30-3.100 (2)
9 CSR 30-3.110 (2)

On November 5, 2004, the Department of Mental Health Exceptions Committee reviewed and approved your request for an exception, dated November 3, 2004, relative to the certification rules cited above. A copy of the request is attached.

If you have any questions in this matter, please contact me at 573-751-8077.

Sincerely,

Richard H. Overmann
Exceptions Committee Coordinator